

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL WILLIAMS PHILLIPS,

Defendant.

3:23-CR-015-ART-CSD

**Preliminary Order of Forfeiture**

This Court finds Daniel Williams Phillips pled guilty to Count One of a Two-Count Criminal Indictment charging him with receipt of child pornography in violation of 18 U.S.C. § 2252A(a)(2). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 42; Plea Agreement, ECF No. 43.

This Court finds Daniel Williams Phillips agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 42; Plea Agreement, ECF No. 43.

This Court finds, under Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and the offense to which Daniel Williams Phillips pled guilty.

The following property is any visual depiction described in 18 U.S.C. § 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any such

1 visual depiction, which was produced, transported, mailed, shipped or received in violation  
 2 of 18 U.S.C. § 2252A(a)(2) and any property, real or personal, used or intended to be used  
 3 to commit or to promote the commission of 18 U.S.C. § 2252A(a)(2) or any property  
 4 traceable to such property and is subject to forfeiture under 18 U.S.C. § 2253(a)(1) and  
 5 2253(a)(3):

- 6 1. an Apple iMac Computer, serial number illegible;
- 7 2. a Samsung SM-T380 Galaxy Tab A, serial number R52KA16VP6K;
- 8 3. an HP Pavilion Computer, serial number CNV7290P9L;
- 9 4. a Seagate GoFlex External Hard Drive;
- 10 5. a NexStar3 USB External Hard Drive Enclosure; and
- 11 6. a red and black Cruzer 256 gigabyte USB thumb drive

12 (all of which constitutes property).

13 This Court finds that on the government's motion, the Court may at any time enter  
 14 an order of forfeiture or amend an existing order of forfeiture to include subsequently  
 15 located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

16 This Court finds the United States of America is now entitled to, and should, reduce  
 17 the aforementioned property to the possession of the United States of America.

18 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND  
 19 DECREED that the United States of America should seize the aforementioned property.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory  
 21 rights, ownership rights, and all rights, titles, and interests of Daniel Williams Phillips in the  
 22 aforementioned property are forfeited and are vested in the United States of America and  
 23 shall be safely held by the United States of America until further order of the Court.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States  
 25 of America shall publish for at least thirty (30) consecutive days on the official internet  
 26 government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall  
 27 describe the forfeited property, state the times under the applicable statute when a petition  
 28 contesting the forfeiture must be filed, and state the name and contact information for the

1 government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).  
2 Notice is served on any individual or entity on the date when it is placed in the mail,  
3 delivered to a commercial carrier, or sent by electronic mail under Fed. R. Crim. P.  
4 32.2(b)(6)(D) and Supplemental Rule G(4)(b)(iii)-(v).

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
6 or entity who claims an interest in the forfeited property must file a petition for a hearing to  
7 adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C.  
8 § 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under  
9 21 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the  
10 petitioner's right, title, or interest in the property, the time and circumstances of the  
11 petitioner's acquisition of the right, title or interest in the property, any additional facts  
12 supporting the petitioner's claim, and the relief sought.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
14 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal  
15 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, within thirty (30) days  
16 of the final publication of notice on the official internet government forfeiture site,  
17 [www.forfeiture.gov](http://www.forfeiture.gov), or his receipt of written notice, whichever is earlier.

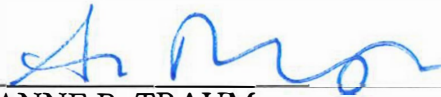
18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
19 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
20 Attorney's Office at the following address at the time of filing:

21 Daniel D. Hollingsworth  
22 Assistant United States Attorney  
23 Misty L. Dante  
24 Assistant United States Attorney  
501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice  
26 described herein need not be published in the event a Declaration of Forfeiture is issued by  
27 the appropriate agency following publication of notice of seizure and intent to  
28 administratively forfeit the above-described property.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
2 copies of this Order to all counsel of record.

3 DATED July 8, 2024.

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5   
6 ANNE R. TRAUM  
7 UNITED STATES DISTRICT JUDGE  
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